

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE SEAN MATTHEW FINNEGAN

21-CV-10946 (LTS)

ORDER

LAURA TAYLOR SWAIN, Chief United States District Judge:

On January 3, 2021, the Court ordered Plaintiff to show cause why he should not be barred, under 28 U.S.C. § 1651, from filing any new action *in forma pauperis* (IFP) without first obtaining from the Court leave to file.¹ *See Finnegan v. D.C. Superior Court*, ECF 1:21-CV-10946, 4 (S.D.N.Y. Jan. 3, 2021) (dismissing complaint for failure to state a claim and as frivolous). Plaintiff has not yet responded to the order to show cause. Instead, he has filed six new cases. *See* Nos. 22-CV-125, 22-CV-150, 22-CV-210, 22-CV-304, 22-CV-508, 22-CV-629.

Until the Court decides the order to show cause pending in 21-CV-10946, any new lawsuit Plaintiff files will be held in abeyance until Plaintiff's time to comply has expired. If Plaintiff fails to comply with the Court's order, the filing injunction will take effect as of the date of this order, *nunc pro tunc*.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

¹ The Court previously warned Plaintiff that a filing injunction would be imposed. *See Finnegan v. Manhattan Mini Storage, LLC*, 1:21-CV-7354, 7 (LTS) (S.D.N.Y. Sept. 7, 2021) (listing seven prior cases and also noting that "available public records show that Plaintiff has filed dozens of actions in courts across the country."). These warnings had no effect on Plaintiff's pattern of engaging in frivolous litigation. To date, Plaintiff has filed 17 cases in this District.

The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket.

SO ORDERED.

Dated: January 28, 2022
New York, New York

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
Chief United States District Judge